**NUMBER: 4.01** 

TITLE: INTERMEDIATE TOOLS

**SERIES NUMBER: 4 - TRN** 

**SERIES TITLE: TRAINING** 

TOPICS / REFERENCE: ASP, BATON, BEANBAG SHOTGUN, EXTENDED RANGE

IMPACT WEAPONS, O.C. (PEPPER SPRAY), TASER, USE OF FORCE

**APPENDICES: NONE** 

ORIGINAL EFFECTIVE / ISSUE DATE: JANUARY 17, 2007

**DATE OF LAST REVISION: APRIL 18, 2017** 

THIS ORDER REMAINS IN EFFECT UNTIL REVISED OR RESCINDED

## **POLICY:**

It is the policy of the Rockford Police Department to authorize officers to carry and use Department approved intermediate tools in the performance of their duties.

### **PURPOSE:**

The purpose of this General Order is to establish Department policy, procedures and guidelines regarding Department approved intermediate tools issued to Rockford Police Department officers.

These guidelines are not meant to be all-inclusive, since each incident must be dealt with on an individual basis, but are intended as broad guidelines to assist the employees and supervisors involved.

# This Order is comprised of the following numbered section:

- I. DEFINITIONS
- II. DEPARTMENT AUTHORIZED INTERMEDIATE TOOLS
- III. RESPONSIBILITIES
- IV. INTERMEDIATE TOOLS TRAINING AND PROFICIENCY TESTING
- V. REMOVAL AND REPLACEMENT OF UNSAFE AND UNSERVICEABLE TOOLS
- VI. INTERMEDIATE TOOLS SPECIFICATIONS AND PROCEDURES FOR USE

#### **APPENDICES:**

### I. DEFINITIONS:

- **A. Certified Course**: A National or State accepted course of instruction having met a recognized standard or best practice.
- **B.** In-service training: Training provided to an employee after any initial, probationary or new-hire training (i.e., recruit / police academy training, new employee orientation) required before full employment status. Inservice training may include, but is not limited to; periodic retraining or refresher training, roll-call training, specialized training, advanced training, promotional training and career development courses.
- C. Intermediate Tools: A tool whose normal use is not intended or likely to cause serious injury or death. Impact weapons, aerosols (O.C.), Conducted Electrical Weapons (CEW) and Extended Range Impact Weapons (ERIW less lethal shotgun) fall within this category. Intermediate tools may also be referred to as less-lethal weapons.
- **D. Subject**: The person who is the focus and intended recipient of the intermediate tool.

# II. DEPARTMENT AUTHORIZED INTERMEDIATE TOOLS:

- **A.** Officers may only use Intermediate Tools authorized by the Department.
- **B.** The Rockford Police Department authorizes the use of the following intermediate tools:
  - **1.** Batons: Expandable metal baton and 24" wooden baton;
  - Subject Control Spray / O.C. spray: Oleoresin capsicum aerosol deployed from handheld device or deployed from a dedicated launcher system:
    - **a.** Officers shall carry their department issued subject control spray/O.C. and baton if they intend to work in a patrol capacity.
  - 3. Extended Range Impact Weapon (less lethal shotgun); and
  - 4. Taser (CEW).

## III. RESPONSIBILITIES:

- **A.** The Training Unit will review, inspect and approve all intermediate tools prior to the tool being issued to an officer. Expandable metal batons will be re-inspected by a certified instructor during in-service training.
- **B.** The Training Unit is responsible for issuing Subject Control Spray / O.C. pepper spray and ensuring the Department has extra replacement items when needed. The Training Unit is responsible for maintaining records applicable to Subject Control Spray /O.C. pepper spray.
- **C.** The Training Unit is responsible for issuing batons and ensuring the Department has extra / replacements batons for officers when needed.

- Fiscal Services is responsible for maintaining records applicable to batons.
- **D.** Extended Range Impact Weapons will be issued by a Supervisor at the beginning of their shift or at a scene.
- **E.** Tasers will be issued by a Supervisor at Rollcall for Operations Personnel and other sworn personnel may be issued a Taser on a case by case basis (to include Detectives and other sworn personnel).
  - **1.** Tasers will be turned in at the conclusion or ending time of the sworn personnel's shift.

### IV. INTERMEDIATE TOOLS TRAINING AND PROFICIENCY TESTING:

- **A.** All sworn personnel must receive Department approved training on the proper use and safe handling of any intermediate tools, and demonstrate proficiency with that tool, before they are authorized to carry and use the tool in the performance of their duties. Initial training will include providing each officer with a copy of the Department's policies regarding use of force and intermediate tools (General Order 1.06 Response to Resistance).
- **B.** All intermediate tools, training, and proficiency testing will be conducted by an instructor certified to teach on those tool systems.
- **C.** All intermediate tool training and proficiency testing will be documented. Records of the training and testing will be kept by the Training Unit.
- **D.** All sworn personnel will receive in-service / refresher training on the proper use of intermediate tools and must demonstrate proficiency in order to continue carrying and use the tool in the performance of their duties:
  - 1. Training and proficiency testing on other Department authorized intermediate tools (Subject Control Spray & Batons) will occur, at least, biennially; and
  - 2. Training and proficiency testing for Taser and Extended Range Impact Weapons (less lethal shotgun) will occur annually.
- **E.** Officers failing to attend mandatory training or unable to demonstrate proficiency with any intermediate tool shall be prohibited from using or carrying the tool until they attend the appropriate in-service training and successfully demonstrate ability to perform with the intermediate tool.
- **F.** Officers who initially fail proficiency testing with an intermediate tool will be given additional opportunities, at the discretion of and with the advice and counsel of the instructor, until they demonstrate proficiency or be assigned to the Training Unit and given remedial training per General Order 20.01 Training.

# V. REMOVAL AND REPLACEMENT OF UNSAFE AND UNSERVICEABLE TOOLS:

- **A.** Each officer is responsible for immediately removing any tool from service when they believe it has become unsafe, damaged, or otherwise unserviceable.
- **B.** Officers with an unserviceable baton may obtain a temporary replacement from the District Lieutenant or Senior Sergeant. The unserviceable baton along with a completed Clothing / Equipment Requisition form must be brought to or forwarded to Fiscal Services for a permanent replacement.
- C. Officers will be responsible for exchanging their Subject Control Spray prior to its expiration date. Officers in need of a replacement Subject Control Spray/O.C. pepper spray canister will exchange their empty or expired canister for a replacement at the Shift Commander's Office or the Training Unit.

# VI. INTERMEDIATE TOOLS SPECIFICATIONS AND PROCEDURES FOR USE:

- **A.** Batons (hand held impact tools):
  - The expandable baton is a metal baton that is carried on the duty belt or trousers belt in a collapsed condition. It is expanded by a flick of the wrist, which causes the baton to extend to an open and locked position.
  - 2. The wooden baton is a 24" baton with a ringed grip.
  - 3. The baton may be used as a tool to stun or as a control instrument. The baton may also be used as a striking instrument. Officers must adhere to <a href="General Order 1.06 Response to Resistance">General Order 1.06 Response to Resistance</a> when deploying the baton when they reasonably believe that its use is necessary to affect an arrest or defend themselves or others from bodily harm.
  - **4.** The use of the baton is dependent on the totality of the circumstances at the moment of its use. Officers are allowed to use the baton when they reasonably believe that its use is necessary to affect an arrest or defend themselves or others from bodily harm.
  - **5.** Proper documentation will be provided as part of the police report. A written report is required whenever a baton is used.
- **B.** Subject Control Spray/ O.C. Pepper Spray (Oleoresin Capsicum):
  - 1. Oleoresin Capsicum is a naturally occurring substance found in the cayenne pepper. O.C. works on the principle of being an inflammatory agent. It inflames the mucous membranes;
  - 2. Officers must adhere to <u>General Order 1.06 Response to Resistance</u> when deploying O.C. Officers are allowed to use O.C. when they reasonably believe that its use is necessary to affect an arrest or defend themselves or others from bodily harm;
  - **3.** Officers are allowed to use O.C. to subdue or repel any dangerous animal when they reasonably believe that the animal poses a danger to themselves or others:

- 4. Whenever O.C. is used the subject shall be exposed to fresh air and permitted to rinse off with cool water, as soon as is practicable. Time, ventilation and water will reduce its effects. When an officer has reason to believe that primary symptoms have persisted beyond 45 minutes, or there is a need for other emergency medical attention, the subject shall be transported to an emergency medical facility for treatment:
- **5.** Proper documentation will be provided as part of the police report. A written report is required whenever O.C. is deployed;
- **6.** The O.C. used by the Rockford Police Department is nonflammable and is compatible for use with the Taser. Officers should be aware; however, that other agencies may use alcohol based O.C. that is flammable and should not be used with a Taser; and
- 7. The use of O.C. against a subject arrested for a minor offense, who is secured in handcuffs, acting non-violently and is not a threat to officers or the public is prohibited.
- C. Extended Range Impact Weapons (ERIW or less lethal shotgun):
  - The Rockford Police Department utilizes a Remington Model 870 12gauge Pump Shotgun as an ERIW;
  - 2. The ERIW has a blaze orange synthetic stock and may have a light affixed to the fore-end. The blaze orange synthetic stock is for instant recognition of the less lethal weapon;
  - **3.** Munitions deployed in the less lethal shotgun are comprised of a drag stabilized bean bag round;
  - **4.** Only sworn personnel certified in the use of an ERIW shall be allowed to use this intermediate tool;
  - 5. Records of the training and testing will be kept by the Training Unit;
  - **6.** When an ERIW is deployed on a subject, officers shall ensure that medical aid is provided and/or professional medical assistance is summoned as soon as practical; and
  - 7. Proper documentation will be provided as part of the police report. A written report is required whenever an ERIW is deployed. Deployment and discharge of the less lethal shotgun is considered a Level 3 use of force and a Supervisor shall be summoned to the scene to assess the use of force.

# D. TASER:

- The Rockford Police Department authorizes the use of TASER X26P (Conducted Electrical Weapon - CEW);
- Department personnel who are currently certified as Taser instructors through Axon (formerly TASER International) will be the only authorized personnel to certify sworn personnel in the use of the Taser;

- **3.** Sworn personnel must successfully complete an annual Taser certification course;
- **4.** The Training Unit will maintain all Taser training records and certifications for sworn personnel;
- **5.** Department training will utilize materials provided from Axon's (TASER International) most current version;
- 6. Taser deployment is considered a heightened level of force, in turn; officers may deploy the Taser when objective facts indicate that the suspect posed an immediate threat to the officer or member of the public;
- **7.** The Taser shall be carried on the opposite side from the officer's firearm:
- **8.** All spare Taser cartridges will be carried a Department approved cartridge pouch;
- **9.** A warning of the Taser's use shall be given prior to deployment unless exigent circumstances exist;
- **10.** The Taser shall not be used in a punitive or coercive manner;
- 11. The Taser will not be used when it is known, by officers, the subject or subject's environment is exposed to any flammable liquid or flammable fumes, including "meth labs" or O.C. with a flammable carrier (for clarification, our department-issued O.C. does not contain a flammable carrier);
- **12.** Subjects can receive secondary injuries from falling after being subjected to the Taser;
- 13. Sworn personnel should use a Taser for one standard cycle (five seconds) and then evaluate the situation to determine if subsequent cycles are necessary. Any subsequent applications or cycles should be independently justifiable. Personnel should consider that exposure to the Taser for longer than 15 seconds may increase the risk of death or serious injury. Personnel should not intentionally activate more than one Taser at a time against a subject;
- **14.** Sworn personnel should make every attempt to restrain a subject while he or she is under the effect of the Taser;
- **15.** Taser probes that penetrate the person's skin shall only be removed by on-scene paramedics or emergency room staff. It is recommended that only emergency room staff remove Taser probes embedded in soft tissue areas such as neck, face, breast, or groin;
- 16. If a subject displays any of the following behaviors: sweating profusely, incoherent, bizarre or violent, disrobing, superhuman strength or endurance, respiratory difficulty, impervious to pain, loss of consciousness, or attacking lights or glass shall be immediately or as soon as practical transported to a medical facility. This person may be in a state of excited delirium. These behaviors may occur pre- or post-

- use of the Taser. Officers may consider staging medical support prior to a planned use of a Taser;
- **17.** It should be taken into consideration that the deployment of Taser while a department K9 is engaged with the subject, may permanently render the animal ineffective as a police K9;
- **18.** All instances of a Taser deployment will be documented in an Incident Report and must articulate the totality of the circumstances necessitating the deployment. Reports shall include the following:
  - a. The officer's legal justification for stopping the suspect;
  - b. The severity of the crime known to the officer at the time force was used:
  - c. Whether the subject was an immediate threat to the officers or others;
  - d. How the subject was actively resisting arrest; and
  - e. How the subject was attempting to evade arrest by flight.
- 19. After a discharge, the cartridge, probes and wires shall be collected and placed into evidence. The sharp end of the probes must be inverted into the portals of the fired cartridge. A reasonable attempt should be employed to collect at least one (more than one are preferred) Anti-Felon Identification Tag (AFID's) after the use of a Taser and placed into evidence with the spent cartridge, probes, and wires. If the probes made direct contact with a subject, a Biohazard sticker shall be placed on the evidence packaging for Property & Evidence personnel knowledge;
- 20. After a Taser deployment or use, the data relating to the event shall be downloaded by a supervisor (at a designated computer work station) and uploaded to digital evidence storage through the photo evidence transfer program;
- **21.** After a Taser deployment or use, the officer shall document the serial number of the Taser in the narrative section of the Incident Report; and
- **22.** Proper documentation will be provided as part of the police report. A written report is required whenever a Taser is deployed. Deployment of a Taser is considered a Level 3 use of force and a Supervisor (of higher rank than the sworn personnel) shall be summoned to the scene to assess the use of force.

ALL GENERAL ORDERS REMAIN IN EFFECT UNTIL REVISED OR RESCINDED.

ANY MEMBER OF THE DEPARTMENT MAY, BY VIRTUE OF EXPERTISE OR POSITION OF FUNCTION, BE DESIGNATED TO AUTHOR OR PROVIDE SOURCE MATERIAL FOR A WRITTEN DIRECTIVE. THE OVERALL AUTHORITY TO ISSUE, MODIFY OR APPROVE WRITTEN DIRECTIVES IS DESIGNATED TO THE CHIEF OF POLICE. HOWEVER, AUTHORITY AND RESPONSIBILITY TO ISSUE DIRECTIVES

IS DELEGATED TO THE FOLLOWING.

ALL GENERAL ORDERS ARE SCHEDULED TO BE REVIEWED ANNUALLY BY THE GENERAL ORDER REVIEW COMMITTEE AND WHEN NECESSARY, REVISED OR CANCELED IN ACCORDANCE WITH THE PROCEDURES FOR REVIEWING WRITTEN DIRECTIVES ESTABLISHED IN GENERAL ORDER 1.10 – WRITTEN DIRECTIVES.

ALL NEW AND REVISED GENERAL ORDERS SHALL BE APPROVED BY THE CHIEF OF POLICE BEFORE ISSUE/REISSUE.

ANY EMPLOYEE WITH SUGGESTIONS FOR REVISIONS AND/OR IMPROVEMENTS TO THIS ORDER ARE ENCOURAGED TO SUBMIT THEIR IDEAS TO THEIR RESPECTIVE DISTRICT COMMANDER OR BUREAU CHIEF.

BY ORDER OF	
	04/18/2017
Daniel G. O'Shea	
Chief of Police	